

FILED

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08CV3278**JUDGE DOW****MAGISTRATE JUDGE KEYS** *raecipe*JUN 6 2008 *new*
Jun 6 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

(This letter of instruction and explanation should be made a part of the record)

Please find enclosed a Petition for a Writ of Habeas Corpus to the District Court of the United States. The Petitioner is submitting this petition pursuant to U.S. Const. Art.I, sec.9, Cl.2 and declare that the Section 2255 motion pursuant to 28 U.S.C. is inadequate and ineffective. (Note: The Petitioner is being confined but has not been sentenced.)

U.S. v. Prevatte, 300 F. 3d 792, 800 (7th Cir. 2002) Same;
In re Smith, 285 F. 3d 6, 8 (D.C. Cir. 2002), "Sec. 2255 motion is inadequate or ineffective remedy if relief is unavailable to petitioner convicted based on incorrect understanding of law."

The Section 2255 motion pursuant to 28 U.S.C. is one used in the Legislative Article I and Article IV Courts concerning statutes and laws that are applicable only to U.S. Citizens and those who have committed crimes in U.S. Territories.

I am not a U.S. Citizen that resides on Federal Property or Federal Enclaves that is subjected to it's Legislative Jurisdictional Statutes. As a Sovereign Mississippi National abiding in the Republic of Illinois, the Constitution of the United States for the united States of America stipulate that the Mechanism for my redress of grievance is the common law writ, Habeas Corpus.

This Petitioner pursuant to U.S. Const. Art.I, sec.9, Cl.2, submit this Petition to the District Court of the United States, an Article III Court. If the Clerk of this Court cannot or will not file and record this Petition in an Article III Court with an Article III Judicial Officer, please inform and instruct the Petitioner of the process to accomplish this including the address and location in which the Article III Judicial Court can be accessed.

Respectfully Submitted By:

Anthony Benjamin Phillips, Sui Juris
Anthony Benjamin Phillips [Without Prejudice (UCC 1-308)]
Citizen of Illinois State Republic [not a Citizen(Federal)of the United States]